AGENDA FOR THE PLAN COMMISSION

Members noticed must notify the person who prepared agenda (see below) at least 24 hours before the meeting as to whether they will not be able to attend this meeting.

Date and Time: Tuesday, December 20, 2022, – 5:15 PM

Location: Council Chambers, Municipal Building, 101 South Blvd., Baraboo, Wisconsin **Member Notices:** R. Nelson, P. Wedekind, R. Franzen, J. O'Neill, T. Kolb, B. Hartup, and M.

Boegner.

Others Noticed: T. Pinion, C. Bradley, M Krautkramer, Cliff Bobholz, Adolfo Morales, Anna Torez, Chad

Sauey, Brett Sauey, Gregg McArthur, Randy Kuhnau, Tom Kuester, Randy Scott, Library,

and Media.

PETITIONERS OR REPRESENTATIVES MUST BE PRESENT OR SUBJECT <u>WILL NOT</u> BE HEARD BY THE COMMISSION!

1. <u>Call to Order</u>

- a. Note compliance with the Open Meeting Law.
- b. Roll Call
- c. Approve agenda.
- d. Approve November 15, 2022 meeting minutes.
- **Public Invited to Speak** (Any citizen has the right to speak on any item of business that is on the agenda for Commission action if recognized by the presiding officer.)

3. <u>Public Hearings</u>

a. The request of Adolfo Morales and Ana Torres (Owners) to grant a Conditional Use Permit to allow a used automobile dealership to operate at 1341 Carpenter Street, City of Baraboo, Sauk County, Wisconsin.

4. New Business

- a. Consider the request of Adolfo Morales and Ana Torres (Owners) for a Conditional Use Permit to allow a used automobile dealership to operate at 1341 Carpenter Street, City of Baraboo, Sauk County, Wisconsin.
- b. Review and recommendation on the annexation and zoning upon annexation of a eight (8) tax parcels of land on the south side of Baraboo on both sides of STH 123 (Walnut Street/CTH DL), located in the SW ¼ and the SE ¼, of the SE ¼ Section 11, T11N, R6E and the NE ¼ of Section 14, T11N, R6E, all in the Town of Baraboo, totaling approximately 122 acres owned by Valhalla Valley LLC, Thomas Kuester/Permasite LLC, the Estate of Darla Kuester, Devil's Lake Properties LLC, and SDL Holdings, LLC.

5. Adjournment

Rob Nelson, Mayor Agenda prepared by Tom Pinion, 355-2730, Ext. 7309 Agenda Posted by Donna Griggel on December 16, 2022

PLEASE TAKE NOTICE, that any person who has a qualifying as defined by the Americans with Disabilities Act that requires the meeting or materials at the meeting to be in an accessible location or format, should contact the Municipal Clerk, 101 south Blvd., or phone 355-2700, during regular business hours at least 48 hours before the meeting so that reasonable arrangements can be made to accommodate each request.

FOR INFORMATION ONLY, NOT A NOTICE TO PUBLISH.

Minutes of Plan Commission Meeting November 15, 2022

<u>Call to Order</u> – Mayor Nelson called the meeting of the Commission to order at 5:15 PM.

Roll Call – Present were Mayor Nelson, Phil Wedekind, Roy Franzen, Jim O'Neill, Tom Kolb, Barry Hartup, and Matthew Boegner.

Also in attendance were Tom Pinion, Max Dvorak, Bjorn Kaashagen, Hans Wilkes, Mark Crowley, Matt Muchow, Dan Goff and David Wall.

Call to Order

- a. Note compliance with the Open Meeting Law. Mayor Nelson noted compliance with the Open Meeting Law.
- b. <u>Agenda Approva</u>l: It was moved by O'Neill, seconded by Kolb to approve the agenda as posted. Motion carried unanimously.
- c. <u>Minutes Approval</u>: It was moved by Wedekind, seconded by Kolb to approve the minutes of both the September 20th and October 18th meetings. Motion carried unanimously.

<u>Public Invited to Speak</u> (Any citizen has the right to speak on any item of business that is on the agenda for Commission action if recognized by the presiding officer.) – There were no speakers.

New Business

- a. Request to Rezone Lot 1 of Sauk County Certified Survey Map No. 7223, a 2.98-acre Lot on the northwest corner of Taft Ave (CTH T) and 12th Street from A-1, Agricultural Transition to B-3, Highway Oriented Business for new Fire/EMS Facility Station #2, by the City of Baraboo Pinion explained that the City recently acquired this property and has requested that it be rezoned to a B-3, Highway-Oriented Business classification. It was moved by Wedekind, seconded by Kolb to forward this matter to the City Council to hold the requisite Public Hearing with a recommendation to approve. On roll call vote for the motion, Ayes Wedekind, Franzen, O'Neill, Kolb, Hartup, Boegner, and Nelson; Nay 0. Motion carried 7-0.
- b. Review the Specific Implementation Plan (SIP) in accordance with Step 4 of the Planned Development rezoning process for KMD Development LLC's proposed Baraboo Bluffs Condominium project, consisting of a mix of thirty three 2- and 3- unit buildings totaling 85 units on Lot 1 of Sauk County Certified Survey Map No. 7231, an 18.4-acre site on the east side of Waldo Street between Parkside Avenue and Hager Street -Pinion explained that the Commission reviewed the General Development Plan (GDP) two months ago and that the City Council had unanimously approved the first reading of that rezoning Ordinance. The Commission specifically requested the developers provide colored renderings and samples of the building materials they intend to use, which they have done. Matt Muchow, representing KMD Development LLC, explained that the SIP has been modified slightly from what was proposed with the GDP two months ago. The SIP for Phase 1 of Baraboo Bluffs Condominium includes six buildings, three 3-unit buildings and three two-unit buildings for a total of 15 units. The SIP was also modified to include so a variety of sustainable building practices and it was explained that each unit would be wired for an EV Charging Station so an owner could easily add that if so desired. And the SIP includes the Traffic Study that the developer commissioned showing that even at full buildout of this development as well as full buildout of the remaining vacant property in the Spruce Haven development, the intersection of Waldo St and South Blvd will function at a Level of C or better. The colored renderings currently show white for all of the overhead garage doors but it was explained that these would likely be changed to a beige or tan color to better complement the color scheme of the condominium units. Matt also explained that the Phase 1 Condominium Plat, which is the subject of the next agenda item, is also included in the SIP along with the corresponding Declaration of Condominium document. Nelson question Section 7.4 of the Declaration and requested a clarification pertaining to refuse and recycling collection. The document states they will both be collected by the City of Baraboo but he recalls that it was previously explained it would be collected by a private contractor. Nelson also inquired about the prohibition on clotheslines on the property and the developers explained that was probably part of the "template" document their attorney used and that it would be removed as they have no particular objection to outdoor clotheslines. Pinion pointed out that Section 20.3 states that there could be as many as 75 additional units in future phases (up to 90 total units) of this development but the GDP provides for 85 units. If and/or when the total number of units exceed 85, the GDP would need to be amended. The Commission complemented the developer on their SIP submittal stating that it was very thorough and complete - the best they have seen to date. It was moved by Wedekind, seconded by Kolb to forward this matter to the Common Council for the requisite public hearing

with a recommendation to approve the Specific Implementation Plan for Phase 1 of the Baraboo Bluffs Condominium. On roll call vote for the motion, Ayes - O'Neill, Kolb, Hartup, Boegner, Nelson, Wedekind, and Franzen. Nay - 0, motion carried 7-0.

- c. Review and approve Baraboo Bluffs Condominium Plat, Phase 1 for Baraboo Bluffs Condominium Project (Appendix E of the Baraboo Bluffs Condominium SIP), being a part of Certified Survey Map No. 7231, located in the S ½ of Section 2, T11N, R6E, City of Baraboo, Sauk County, Wisconsin. This document was also included in the SIP submittal and was covered as part of the previous agenda. It was moved by Wedekind moved and seconded by Franzen to approve the Baraboo Bluffs Condominium Plat, Phase 1, as presented. On roll call vote for the motion, Ayes Franzen, O'Neill, Kolb, Hartup, Boegner, Nelson, and Wedekind; Nay 0. Motion carried 7-0.
- d. Review a conceptual development plan in accordance with Step 2 of the Planned Development rezoning process to repurpose the property at 1301 Lake Street for use as a church, by Freedom in Christ Church – David Wall, representing the Cross of Christ Church, explained that his congregation has out ground it current building at 409 4th Street and is looking for a new location. They currently have 225 active members and anticipate future growth to upwards of 300 members. Since it seems to be increasingly difficult to site churches in residential neighborhoods, they are interested in relocating to the existing buildings at 1301 Lake Street, formerly occupied by Glenville Timberwrights, but would first like to determine the likelihood of rezoning the property in some manner to allow its use as a church before they commit to buying the property. They understand the proposed use would likely require State-Approved plans since the use as a church would constitutes a change in use pursuant to the State's commercial building code - the 2015 version of the International Building Code. They have hired General Engineering Company to do a complete code review and provide a description and corresponding cost estimate for any necessary remodeling or other building modifications. Dan Goff, the current owner of this property, inquired about the timeline for the prospective rezoning. Pinion explained the schedule is typically dictated by either the current owner or the prospective buyer, provided they have a bona fide ownership interest, like an accepted Offer to Purchase for example. There are a couple of options to modify or change the zoning of this particular property since it's located in an I-3 Industrial zoning district, it's across the street from an R-1A Single-Family Residential zoning district, and it also a part of the Devil's Lake Business Park with a set of Restrictive Covenants that also address certain used as either permitted or prohibited, but affords similar uses, not specifically included in the permitted or prohibited uses, to be regulated as a Conditional Use. A rezoning request typically takes 60 to 90 days from start to finish, depending on the timing of the request. A PUD zoning could take a bit longer since preparing the GDP & SIP typically require some additional time. Since this is only a concept review, it's an opportunity for the Commission to provide informal, non-binding feedback to the applicant. Generally speaking, the Commission was not uncomfortable with the proposed use but they had some apprehension about removing a fully improvement property from the tax roll. It seemed they generally favored a PUD zoning more than the other available options.

Adjournment - It was moved by Kolb, seconded by Franzen to adjourn at 6:05 p.m. Motion carried unanimously.

Rob Nelson, Mayor

PLAN COMMISSION ITEM SUMMARY December 20, 2022

SUBJECT: CONSIDER THE REQUEST OF ADOLFO MORALES AND ANA TORRES (OWNERS) FOR A CONDITIONAL USE PERMIT TO ALLOW A USED AUTOMOBILE DEALERSHIP TO OPERATE AT 1341 CARPENTER STREET, CITY OF BARABOO, SAUK COUNTY, WISCONSIN.

SUMMARY OF ITEM A: The applicants were originally granted a Conditional Use Permit in 2014 for this same use; however, that permit was revoked at the September 20th meeting. Following is an excerpt from those meeting minutes:

Review the existing Conditional Use Permit granted to Adolfo Morales and Ana Torres in 2014 to allow the operation of a used automobile dealership at 1341 Carpenter Street. - Pinion stated that at last month's meeting, the Commission requested this item be included on this agenda. If things hadn't been done, there would be other options to consider regarding the existing Conditional Use Permit that is in place. The City reserves the right, and the Plan Commission in particular, has the right to review a CUP at any point. The owners of the property were notified of this meeting by e-mail with the Agenda Packet. The original conditions of the original 2014 CUP have not been complied with and as of today's date, they still have not been complied with. The Plan Commission has a host of options: do nothing and leave it as is; modify the conditions of the permit and extend it either on a temporary or permanent basis; suspend it for a specified period of time; or revoke the existing CUP in an effort to achieve compliance. If the CUP is suspended or revoked, the DMV would be notified that Dealership no longer has the appropriate zoning to operate at this location. If the CUP is revoked, the Zoning Code suggests a 12month waiting period to reapply but the Commission could allow a new application sooner than 12 months if so desired. Nelson noted that ample time has been provided to bring the property into compliance and a revocation may be warranted. Wedekind suggested a 6-month suspension. Comm. Hartup requested input from the Community Service Officers. CSO Klein stated that she has no had direct contact with either Adolfo or Tural in the recent past but she did speak with the neighboring property owner today. She speculated there may be some sort of "language barrier" and they may not understand what we are asking them to do. CSO Statz asked if the CUP is extended, how are the ordinance violations and corresponding citations supposed to be dealt with until they are in compliance – daily, weekly, monthly or otherwise? After further discussion and deliberation, Boegner moved to revoke the existing Conditional Use Permit and allow Mr. Morales to reapply whenever the property is brought into compliance with the current rules and regulations pertaining to property maintenance, junk, and unlicensed and/or inoperable vehicles, etc. The motion was seconded by Kolb. Ayes – Nelson, Wedekind, Franzen, O'Neill, Kolb, Hartup and Boegner; Nay -0. Motion carried unanimously.

The applicants have made significant progress "cleaning up" their property since the prior CUP was revoked and have submitted an application for a new Conditional Use Permit to "re-open" a used automobile dealership at this same location.

Following is a list of the Conditions of Approval for their original 2014 CUP:

- compliance with any State requirements
- > no parking of cars in any green areas
- if a dumpster is moved on the property it will be placed in an enclosure
- ➤ all lighting will be in compliance with City ordinance

If the Commission is inclined to favorably review this request, I suggest the following new conditions be considered in addition to those imposed with the original approval in 2014:

- > a deadline for completing the proposed fence.
- > a (numerical) limit on the total number of vehicles allowed on-site at any given time.

- > a restriction that allows only the sale of used automobiles and prohibits the sale of recreational vehicles, trailers, and recreational equipment.
- > a restriction that allows repair service for only the used automobiles offer for sale on-site.
- > connection to the sanitary sewer collection system and removal of the existing septic tank/system.
- ➤ an inspection of the existing buildings by the Building Inspector and Fire Inspector to confirm the existing building meets the applicable Codes.
- proof that A's Auto Sales LLC is in good standing with the Wisconsin Department of Financial Institution and Wisconsin DMV
- > mandatory follow-up inspections of the property in 3 months and 6 months to evaluate compliance with the conditions of the CUP and applicable Local and State Property Maintenance and Building Codes.

Of course the Commission always has the right to review a CUP at any time and can modify or revoke any CUP for non-compliance.

COMPLIANCE/NONCOMPLIANCE:

Pursuant to Section 17.37 – <u>Conditional Use Review and Approval</u>, I have found the application to be complete and have reviewed it for compliance with the ordinance.

ACTION: Approve / Deny Conditional Use Permit (with certain conditions?)

SUBJECT:

REVIEW AND RECOMMENDATION ON THE ANNEXATION AND ZONING UPON ANNEXATION OF A EIGHT (8) TAX PARCELS OF LAND ON THE SOUTH SIDE OF BARABOO ON BOTH SIDES OF STH 123 (WALNUT STREET/CTH DL), LOCATED IN THE SW ¼ AND THE SE ¼, OF THE SE ¼ SECTION 11, T11N, R6E AND THE NE ¼ OF SECTION 14, T11N, R6E, ALL IN THE TOWN OF BARABOO, TOTALING APPROXIMATELY 122 ACRES OWNED BY VALHALLA VALLEY LLC, THOMAS KUESTER/PERMASITE LLC, THE ESTATE OF DARLA KUESTER, DEVIL'S LAKE PROPERTIES LLC, AND DSL HOLDINGS, LLC.

<u>SUMMARY OF ITEM B</u>: The respective owners of these eight (8) tax parcels approached staff several months ago about the possibility of annexing their properties to the City of Baraboo. Seven (7) of these parcels are currently vacant and one is occupied by the former Hooty's/Pump House Bar & Grill. Vallhala Valley LLC would like to have their property zoned as R-1A, Single-Family Residential upon annexation. SDL Holdings LLC would like their property zoned B-3, Highway Oriented Business. The remaining parcels would be zoned A-1, Agricultural Transition until they finalize their proposed development plans. I have included the annexation petition and supporting documentation in the packet. The petition has been reviewed by the Wisconsin Department of Administration and it has beendetermined that the proposed annexation is in the public interest.

COMPLIANCE/NONCOMPLIANCE:

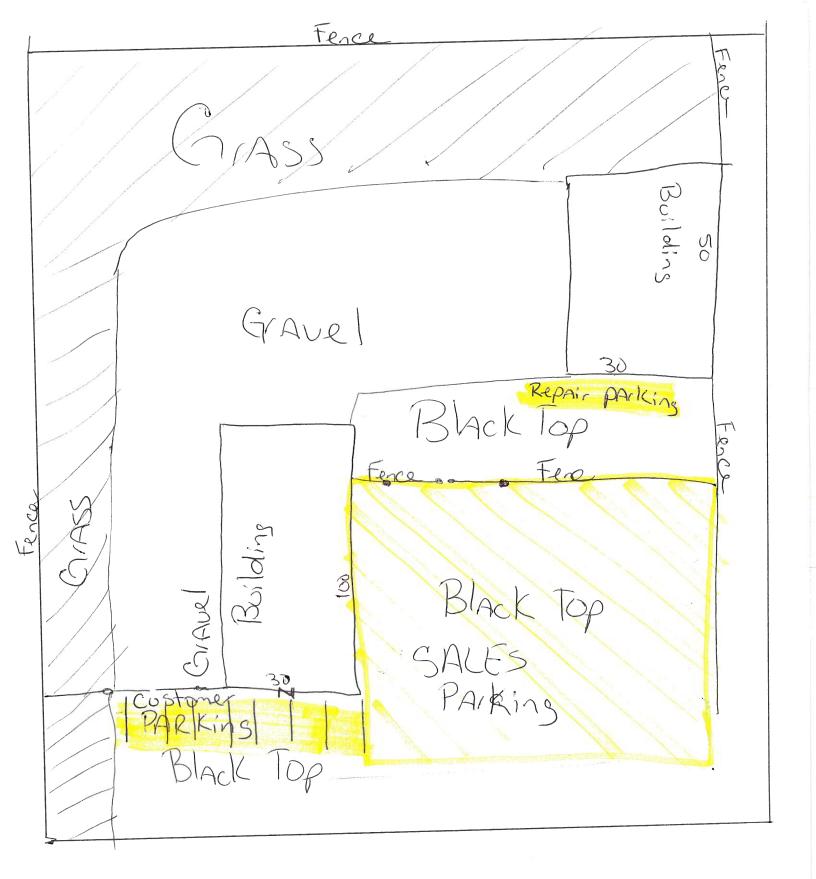
The City Clerk has found the annexation petition to be complete.

ACTION: Forward the Petition to the Common Council with a recommendation to approve the annexation and recommend an appropriate Zoning Classification(s) upon annexation.

For Office Use: Application given by	Date	☐ Referred to Council☐ Public Hearing Set	Date
☐ Received by Bldg. Inspector ☐ Fee received by Treasurer		☐ Date Notices Maile	d
☐ Building Insp. Certified		☐ Public Hearing Pub	
☐ Filed with City Clerk ☐ Referred for Staff Review		☐ Public Hearing Hel☐ Plan Meeting Actio	
Referred for Staff Review			
101 South Blvd. (A			E PERMIT on filing\$250 if public hearing required, or
(608) 355-2730 phone 608 355-2719 fax		,	FOR TREASURER USE ONLY Receipt #
Date of Petition: 10-20	.22		Account # 100-22-4440
The undersigned, being all the copetition the City of Baraboo Plan Co	owners of the real prommission as follow	roperty covered by this vs:	s conditional use request hereby
1. Name and address of each owne	es, Anglor	12	
1341 Carpenter	St Baraboo	0 WI 53913 WI 53913	
2. Name and address of applicant is lease):	f not an owner. Des	cribe interest in site (i	f tenancy, attach copy of current
3. Address of site: 1341	CAIPENTER	- SI BA	rabon WI 53913
4. Tax parcel number of site:			
5. Accurate legal description of description) (Attach copy of ow	site (state lot, blo ner's deed):	ck and recorded sub	division or metes and bounds
6. Present zoning classification:			
7. Requested conditional use:	Ised Au	omobile D	laler
8. Brief description of each structu	are presently existing	ng on site:	
30 × 100 buil	ding		

9. Brief description of present use of site and each structure on site:

10. Brief description of any proposed change in use of structures if request for conditional use is grante (include change in number of employees on site)	ed:
11. The following arrangements have been made for serving the site with municipal sewer and water: Talked to Fer Terry four Plumbing for Conecting to city sewer and water	
12. Name, address, and tax parcel number of the owners of <u>each</u> parcel immediately adjacent to the boundar of the site and each parcel within 200 feet including street and alley right-of-way of each exterior bounds of the site (see section 17.37(3)(a) of City Code.)	
13. A scale map or survey map must be attached showing the following: (Note: This section is not required home occupation requests; skip to 14.) (see section 17.37(2)(a) of City Code.)	for
 Location, boundaries, dimensions, uses, and size of the site and structures and its relationship adjoining lands. 	to
b. The approximate location of existing structures on the site, easements, streets, alleys, off street parki loading areas and driveways, highway access and access restrictions, existing street, side and rear yar proposed surface drainage, grade elevations.	ng, ds,
14. State in detail, the evidence indicating proof that the proposed conditional use shall conform to each of standards for conditional uses set forth in section 17.37(2)(b) of the City Zoning Code.	the
WHEREFORE, the undersigned property owners hereby state that the foregoing information and attachments to this Petition are true and correct to the best of our knowledge. Notice to Property Owner: Conditional use permits, if granted, are subject to a 10 day appeal waiting time. Dated this 20 day of october, 2022. Property owner Property owner	
I certify that I have reviewed this application for completeness.	
Date: Zoning Administrator:	



CARpenter St

Request for Annexation Review

Wisconsin Department of Administration

WI Dept. of Administration
Municipal Boundary Review
PO Box 1645, Madison WI 53701
608-264-6102
wimunicipalboundaryreview@wi.gov
https://doa.wi.gov/municipalboundaryreview

Petitioner Information

Name: See attached Petitioner Information Sheet
Phone:
Email:
Contact Information if different than petitioner:
Representative's Name: See attached Petitioner Information Sheet
Phone:
E-mail:
1. Town where property is located: Baraboo
2. Petitioned City or Village: City of Baraboo
3. County where property is located: Sauk
4. Population of the territory to be annexed: 0
5. Area (in acres) of the territory to be annexed: 122.55
6. Tax parcel number(s) of territory to be annexed (if the territory is part or all of an existing parcel): 002-0305-00000, 002-0315-00000, 002-0313-00000, 002-0320-00000, 002-0319-00000, 002-0391-00000,
002-1307-13100, & 002-1307-13000

Include these required items with this form:

- 1. X Legal Description meeting the requirements of s.66.0217 (1) (c) [see attached annexation guide]
- 2. X Map meeting the requirements of s. 66.0217 (1) (g) [see attached annexation guide]
- 3. X Signed Petition or Notice of Intent to Circulate [see attached annexation guide]
- 4. X Check or money order covering review fee [see next page for fee calculation]

(2021)

Petitioner Information Sheet (Attach to Request for Annexation Review form)

Petitioner Information	Contact Information (if different than petitioner)
Name: SDL Holdings LLC	Representative's Name: Randy Scott
Phone: 608 844-0444	Phone: 608-844-0444
Email: rscott0930@gmail.com	Email: rscott0930@gmail.com
Name: Tom Kuester	Same as petitioner
Phone: 608-381-9902	
Email: tomxlsenergy@gmail.com	
Name: Permasite, LLC	Representative's Name: Thomas Kuester
Phone: 608 381-9902	Phone: 608 381-9902
Email: tomxlsenergy@gmail.com	Email: tomxlsenergy@gmail.com
Name: Estate of Darla J. Kuester	Representative's Name: Thomas B. Kuester
Phone: 608 381-9902	Phone: 608 381-9902
Email: tomxlsenergy@gmail.com	Email: tomxlsenergy@gmail.com
	Representative's Name: Tama Reigard
	Phone: 608-963-3973
	Email: 2tama68@gmail.com
Name: Devil's Lake Properties LLC	Representative's Name: Gregg H. McArthur
Phone: 608-448-9421	Phone: 608-448-9421
Email: ghmearthur@gmail.com	Email: ghmcarthur@gmail.com
Name: Valhalla Valley, LLC	Representative's Name: Craig L. Sauey
Phone: 608-844-0312	Phone: 608-844-0312
Email: bertsauey@yahoo.com	Email: bertsauey@yahoo.com

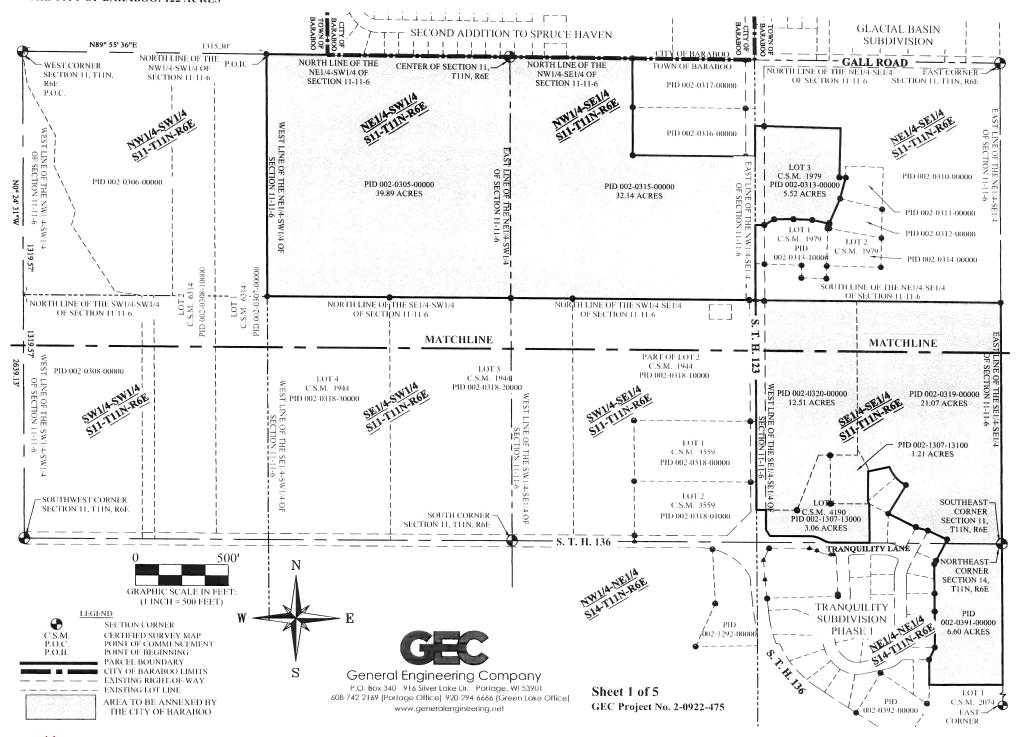
Signature page to Petition for Direct Annexation by Unanimous Approval

Petitioner	Signature of Petitioner	Address(es)	Date of Signing	Status
SDL Holdings, LLC By: Randy Scott Title: 50 (e Member)	MA	Po Box 145 Cake De Hon W 1 (PIN 002-1307-13000) 53940	11/16/22	Owner 25
Thomas Kuester By: Tom Kuester Title: Manique Mewile	Thomas B Kuester	55743 dole man RI Barabos W1553913 (PINs 002-0313-00000 & 002-0319-00000)	11/11/22	Owner +(C_
Permasite, LLC By: Thomas Ruent Title: Managing mans.	7 homes B Kuestr	SS 74/3 dole mon RD Baraboo 553913 (PINs 002-0313-00000 & 002-0319-00000)	11/11/22	Owner
Estate of Darla J. Kuester By: Thomas B. Kuester Title: Co-Personal Representative	Thomas B Kuster	55743 (slemen 121) Bareboo (sis 53913) (PIN 002-1307-13100)	1(/11/22	Owner +K
Estate of Darla J. Kuester By: Tama F. Reigard Title: Co-Personal Representative	Jama Leegas D	404 HIII Street. BOCK Springs. W, 53961 (PIN 002-1307-13100)	11-11-2022	Owner

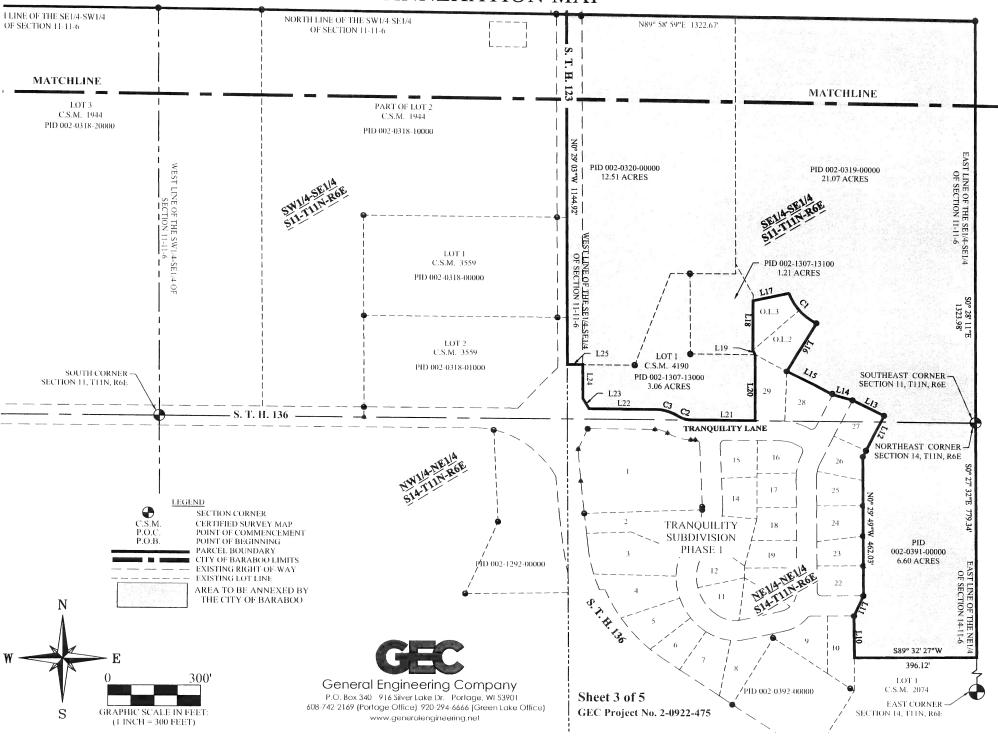
Devil's Lake Properties LLC By: Gregg. H. McArthur Title:	Sy HARA	9314 WINDY POINT VERONA, WI 53593 (PINS 002-0320-00000 & 002-0391-00000)	Owner
Valhalla Valley, LLC By: Chad Sauey Title:	NIA	(PINs 002-0305-00000 & 002-0315-00000)	Owner
Valhalla Valley, LLC By: Brett Sauey Title:	NIA	(PINs 002-0305-00000 & 002-0315-00000)	Owner

Valhalla Valley, LLC By: Craig L. Sauey Title: Manager	Land Sauce	212 10th Ave Barabal WI 53913 (PINS 002-0305-00000 & 002-0315-00000)	((15/22	Owner (S

ANNEXATION MAP



ANNEXATION MAP



ANNEXATION MAP SECOND ADDITION TO SPRUCE HAVEN 329.96 CITY OF BARABOO N89° 55' 47"E 1315.11' GALL ROAD NORTH LINE OF THE NEI/4-SW1/4 OF - P.O.B. N89° 56' 23"E 663.06' TOWN OF BARABOO NORTH LINE OF THE NW1/4-SE1/4 SECTION 11-11-6 S0° 29' 47"E 264.13' OF SECTION 11-11-6 CENTER OF SECTION 11,— T11N, R6E PtD 002-0317-00000 PID 002-0316-00000 S88° 58' 35"E 462.81 1° 02′ 12 276.31 Noº 29' 01"W 171.24' N89° 56' 27"E 659.99' EAST LINE OF THE NWI LOT 3 C.S.M. 1979 PID 002-0313-00000 PID 002-0305-00000 PID 002-0315-00000 39.89 ACRES 5.52 ACRES 32.14 ACRES LOT I C.S.M. 1979 LOT 2 PID C.S.M. 197 002-0313-10000 S89° 57' 19"W 1316.18' N89° 58' 48"W 1322.56' NORTH LINE OF THE SE1/4-SW1/4 NORTH LINE OF THE SW1/4-SE1/4 N89° 58' 59"E 1322.67' OF SECTION 11-11-6 OF SECTION 11-11-6 S т. н. MATCHLINE PART OF LOT 2 LOT 3 LOT 4 C.S.M. 1944 C.S.M. 1944 C.S.M. 1944 PID 002-0318-20000 PID 002-0318-10000 PID 002-0318-30000 LEGEND SECTION CORNER CERTIFIED SURVEY MAP C.S.M. P.O.C POINT OF COMMENCEMENT 3001 P.O.B. POINT OF BEGINNING General Engineering Company PARCEL BOUNDARY P.O. Box 340 916 Silver Lake Dr. Portage, WI 53901 CITY OF BARABOO LIMITS EXISTING RIGHT-OF-WAY 608-742-2169 (Portage Office) 920-294-6666 (Green Lake Office) GRAPHIC SCALE IN FEET: S EXISTING LOT LINE www.generalengineering.net (1 INCH = 300 FEET)Sheet 2 of 5 AREA TO BE ANNEXED BY

THE CITY OF BARABOO

GEC Project No. 2-0922-475

ANNEXATION MAP

CURVE TABLE

CURVE	RADIUS	ARC	DELTA	CHORD BEARING & DISTANCE
C1	183.39'	136.66'	42°41'41"	N41°53'39.5"E, 133.52'
C2	79.81'	42.74'	30°40'54"	N73°47'36"W, 42.23'
С3	142.98'	79.33'	31°47'30"	N74°03'55"W, 78.32'



General Engineering Company
P.O. Box 340 916 Silver Lake Dr. Portage. Wt 53901
608-742-2169 (Portage Office) 920-294-6666 (Green Lake Office)
www.generalengineering.net

LINE TABLE

LINE	BEARING	DISTANCE
L1	S89°16'32"E	34.32'
L2	S13°56'39"W	121.86'
L3	S22°44'39"W	148.14'
L4	S21°40'53"W	4.39'
1.5	N78°05'16"W	93.35'
L6	N87°51'04"W	101.45'
L7	S88°56'18"W	104.43'
L8	S58°42'59"W	60.83'
L9	S89°59'30"W	49.99'
L10	N00°30'39"W	139.99'
L11	N24°30'19"E	72.83'
L12	N26°48'13"W	151.81'
L13	N64°14'57"W	113.63'
L14	N74°55'52"W	67.39'
L15	N63°03'06"W	166.87'
L16	N31°10'06"E	182.51'
L17	S77°08'49"W	118.33'
L18	S00°02'09"W	161.75'
L19	S25°52'04"E	16.92'
L20	S00°29'15"E	214.45'
L21	N89°56'34"W	208.46'
L22	N89°57'34"W	214.16'
L23	N31°30'42"W	39.49'
L24	N00°29'00"W	110.69'
L25	N89°57'34"W	50.22'

Sheet 4 of 5 GEC Project No. 2-0922-475

ANNEXATION MAP

ANNEXATION DESCRIPTION

Located in parts of the NE1/4-SW1/4, NW1/4-SE1/4, NE1/4-SE1/4, SE1/4-SE1/4 of Section 11 and the NE1/4-NE1/4 of Section 14, all in Township 11 N, Range 6 East, Town of Baraboo, Sauk County, Wisconsin.

Commencing at the West quarter corner of said Section 11; thence N89°55'36"E along the North line of the NW1/4-SW1/4 of said Section 11, 1315.30 feet to the Northwest corner of the NE1/4-SW1/4 of said Section 11 and being the Point of Beginning of lands herein described; thence N89°55'47"E, 1315.11 feet along the North line of the NE1/4-SW1/4 of said Section 11, 1315.11 feet to the Center of said Section 11; thence N89°56'23"E along the North line of the NW1/4-SE1/4 of said Section 11, 663.06 feet; thence S00°29'47"E, 264.13 feet; thence S00°27'13"E, 263.86 feet; thence N89°56'27"E, 259.99 feet to the East line of the NW1/4-SE1/4 of said Section 11; thence N00°29'01"W along the East line of the NW1/4-SE1/4 of said Section 11, 171.24 feet to the Northwest corner of Lot 3 of Certified Survey Map No. 1979, recorded in the Sauk County Register of Deeds Office in Volume 8 on Page 1979 as Document No. 512114; thence continuing along the boundary line of said Certified Survey Map No. 1979 for the following eleven (11) courses; S88°58'35"E, 462.81 feet; thence S01°02'12"W, 276.31 feet; thence S89°2716'32"E, 34.32 feet; thence S13°56'39"W, 121.86 feet; thence S22°44'39"W, 148.14 feet; thence S21°40'53"W, 4.39 feet; thence N78°05'16"W, 93.35 feet; thence N87°51'04"W, 101.45 feet; thence S88°56'18"W, 104.43 feet; thence S58°42'59"W, 60.83 feet; thence S89°59'30"W, 49.99 feet to the East line of the NW1/4-SE1/4 of said Section 11; thence S00°29'01"E along the East line of the NW1/4-SE1/4 of said Section 11, 411.69 feet to the Northwest corner of the SE1/4-SE1/4 of said Section 11; thence N89°58'59"E along the North line of the SE1/4-SE1/4 of said Section 11, 1322.67 feet to the Northeast corner of the SE1/4-SE1/4 of said Section 11; thence S00°28'11"E feet along the East line of the SE1/4-SE1/4 of said Section 11, 1323.98 feet to the Northeast corner of the NE1/4-NE1/4 of said Section 14; thence S00°27'32"E along the East line of the NE1/4-NE1/4 of said Section 14, 779.34 feet to the Northeast corner of Lot 1 of Certified Survey Map No. 2074, recorded in the Sauk County Register of Deeds Office in Volume 8 on Page 2074 as Document No. 521930; thence S89°32'27"W, 396.12 feet along the North line of said Certified Survey Map No. 2074 to the East line of Lot 10 of Tranquility Subdivision Phase 1, recorded in the Sauk County Register of Deeds Office in Volume D of plats on Page 251-A as Document No. 893269; thence continuing along the East and Northeast boundary line of said Tranquility Subdivision Phase 1 for the following ten (10) courses; N00°30'39"W, 139.99 feet; thence N24°30'19"E, 72.83 feet; thence N00°29'49"W, 462.03 feet; thence N26°48'13"W, 151.81 feet; thence N64°14'57"W, 113.63 feet; thence N74°55'52"W, 67.39 feet; thence N63°03'06"W, 166.87 feet; thence N31°10'06"E, 182.51 feet; thence 136.66 feet along a curve to the right, said curve having a radius of 183.39 feet, a chord bearing of N41°53'39.5"E and a chord length of 133.52 feet; thence S77°08'49"W, 118.33 feet to the East line of Outlot 1 of said Tranquility Subdivision Phase 1; thence S00°02'09"W along the East line of said Outlot 1, 161.75 feet; thence S25°52'04"E, 16.92 feet to the Northwest corner of Lot 29 of said Tranquility Subdivision Phase 1; thence S00°29'15"E along the West line of said Lot 29, 214.45 feet to the Southeast corner of Lot 1 of Certified Survey Map No. 4190, recorded in the Sauk County Register of Deeds Office in Volume 21 on Page 4190 as Document No. 720999; thence continuing along the South and West boundary line of said Lot 1 of Certified Survey Map No. 4190 for the following six (6) courses; N89°56'34"W, 208.46 feet; thence 42.74 feet along a curve to the right, said curve having a radius of 79.81 feet, a chord bearing of N73°47'36"W and a chord length of 42.23 feet; thence 79.33 feet along a curve to the left, said curve has a radius of 142.98 feet, a chord bearing of N74°03'55"W and a chord length of 78.32 feet; thence N89°57'34"W, 214.16 feet; thence N31°30'42"W, 39.49 feet; thence N00°29'00"W, 110.69 feet to a point on the East right-of-way line of State Truck Highway 123; thence N89°57'34"W, 50.22 feet to the West line of the SE1/4-SE1/4 of said Section 11; thence N00°29'03"W, 1144.92 feet to the Northwest corner of the SE1/4-SE1/4 of said Section 11; thence N89°58'48"W along the South line of the NW1/4-SE1/4 of said Section 11, 1322.54 feet to the Southeast corner of the NE1/4-SW1/4 of said Section 11; thence S89°57'19"W along the South line of the NE1/4-SW1/4 of said Section 11, 1316.18 feet to the Southwest corner of the NE1/4-SW1/4 of said Section 11; thence N00°27'19"W along the West line of the NE1/4-SW1/4 of said Section 11, 1320.41 feet to the Point of Beginning.

SURVEYOR'S CERTIFICATE:

I Donald W. Lenz certify that such survey is a correct representation of all exterior boundaries of the land surveyed and that I have fully complied with the provisions of Section 236.34 of the Wisconsin State Statutes in surveying and mapping the same, to the best of my knowledge and belief.

Said described parcel contains 122 acres.

Donald W. Lenz, WI PLS No. 2003/ Dated this 9th day of November, 2022





General Engineering Company

P.O. Box 340 916 Silver Lake Dr. Portage, WI 53901 608-742-2169 (Portage Office) 920-294-6666 (Green Lake Office) www.generalengineering.net

Sheet 5 of 5 GEC Project No. 2-0922-475

STATE OF WISCONSIN)) SS
COUNTY OF SAUK)
Randy Scott for SDL Holdings, LLC , being first duly sworn on oath, deposes and says: (Insert Name of Petitioner)
1. That he/she, Randy Scott for SDL Holdings, LLC, is one of the petitioners who signed the Petition (Insert Name of Petitioner)
for the Direct Annexation of the following described territory to the City of Baraboo:
See attached legal description
2. The undersigned makes this Affidavit in support of a Petition for Direct Annexation of the above described territory to the City of Baraboo, Sauk County, Wisconsin, on unanimous consent pursuant to Section 66.0217(2) of the Wisconsin Statutes.
3. The Petition for Direct Annexation was signed by all of the owners of the above described territory and to the best knowledge and information of the undersigned no other person or entity has any ownership interest whatsoever is and to said territory.
4. All of the territory to be annexed is unoccupied and no person or electors reside thereon.
Po Box 145 Cake De Hon W/ 53940 Address Petitioner
Address Petitioner Subscribed and sworn to before me this 16 th day of
Address Petitioner Subscribed and sworn to before me this 16th day of November, 2022. Donna Griggel
Donna Griggel
Notary Public, Sauk County, Wisconsin My Commission Expires on <u>02-34</u> 2036

STATE OF WISCONSIN)

COUNTY OF SAUK) SS	
<u>Thomas Kuester</u> , being first duly sworn on oath, deposes (Insert Name of Petitioner)	s and says:
1. That he/she, <u>Thomas Kuester</u> , is one of the petition (Insert Name of Petitioner)	ers who signed the Petition for the Direct Annexation
of the following described territory to the City of Barabo	00:
See attached legal	description
2. The undersigned makes this Affidavit in support of a F territory to the City of Baraboo, Sauk County, Wisconsin, the Wisconsin Statutes.	Petition for Direct Annexation of the above described on unanimous consent pursuant to Section 66.0217(2) of
3. The Petition for Direct Annexation was signed by all of the knowledge and information of the undersigned no other p and to said territory.	e owners of the above described territory and to the best person or entity has any ownership interest whatsoever in
4. All of the territory to be annexed is unoccupied and no p	person or electors reside thereon.
Address B Kuester	S5743 doleman RIJ Petitioner Barabos W15 53913
Subscribed and sworn to before me this 11 th day of November, 2022. Donna Griggel Notary Public, Sauk County, Wisconsin My Commission Expires on 03-3+2026	NOTARY PUBLIC STATES

STATE OF WISCONSIN)) SS
COUNTY OF SAUK)
<u>Thomas Kuester for Permasite, LLC</u> , being first duly sworn on oath, deposes and says: (Insert Name of Petitioner)
1. That he/she, <u>Thomas Kuester for Permasite, LLC</u> , is one of the petitioners who signed the Petition (Insert Name of Petitioner)
for the Direct Annexation of the following described territory to the City of Baraboo:
See attached legal description
2. The undersigned makes this Affidavit in support of a Petition for Direct Annexation of the above described territory to the City of Baraboo, Sauk County, Wisconsin, on unanimous consent pursuant to Section 66.0217(2) of the Wisconsin Statutes.
3. The Petition for Direct Annexation was signed by all of the owners of the above described territory and to the best knowledge and information of the undersigned no other person or entity has any ownership interest whatsoever in and to said territory.
4. All of the territory to be annexed is unoccupied and no person or electors reside thereon.
S5743 dole man RD Address Petitioner Bacaboo w1553913
Subscribed and sworn to before me this 11th day of November, 2022.
Subscribed and sworn to before me this 11 th day of Subscribed and sworn to before me this 11 th day of Subscribed and sworn to before me this 11 th day of Subscribed and sworn to before me this 11 th day of Subscribed and sworn to before me this 11 th day of Subscribed and sworn to before me this 11 th day of Subscribed and sworn to before me this 11 th day of Subscribed and sworn to before me this 11 th day of Subscribed and sworn to before me this 11 th day of Subscribed and sworn to before me this 11 th day of Subscribed and sworn to before me this 11 th day of Subscribed and sworn to before me this 11 th day of Subscribed and
Donna Griggel OBLIC WISCONSTITUTION OF WISC
Notary Public, Sauk County, Wisconsin My Commission Expires on 12-24 2026

STATE OF WISCONSIN)) SS COUNTY OF SAUK)
Thomas B. Kuester & Tama Reigard for the Estate of Darla J. Kuester, being first duly sworn on oath, deposes and says: (Insert Name of Petitioner)
1. That he/she, Thomas B. Kuester & Tama Reigard for the Estate of Darla J. Kuester, is one of the petitioners who (Insert Name of Petitioner)
signed the Petition for the Direct Annexation of the following described territory to the City of Baraboo: See attached legal description
2. The undersigned makes this Affidavit in support of a Petition for Direct Annexation of the above described territory to the City of Baraboo, Sauk County, Wisconsin, on unanimous consent pursuant to Section 66.0217(2) of the Wisconsin Statutes.
3. The Petition for Direct Annexation was signed by all of the owners of the above described territory and to the best knowledge and information of the undersigned no other person or entity has any ownership interest whatsoever in and to said territory.
4. All of the territory to be annexed is unoccupied and no person or electors reside thereon. 4. All of the territory to be annexed is unoccupied and no person or electors reside thereon. 4. All of the territory to be annexed is unoccupied and no person or electors reside thereon. 4. All of the territory to be annexed is unoccupied and no person or electors reside thereon. 4. All of the territory to be annexed is unoccupied and no person or electors reside thereon. 4. All of the territory to be annexed is unoccupied and no person or electors reside thereon. 4. All of the territory to be annexed is unoccupied and no person or electors reside thereon. 4. All of the territory to be annexed is unoccupied and no person or electors reside thereon. 4. All of the territory to be annexed is unoccupied and no person or electors reside thereon. 4. All of the territory to be annexed is unoccupied and no person or electors reside thereon. 4. All of the territory to be annexed is unoccupied and no person or electors reside thereon. 4. All of the territory to be annexed is unoccupied and no person or electors reside thereon. 4. All of the territory to be annexed is unoccupied and no person or electors reside thereon.
S5743 tole man 12D Baraboos Address Petitioner Subscribed and sworn to before me this 11th day of November, 2022. Donna Griggel Donna Griggel
Notary Public, Sauk County, Wisconsin My Commission Expires on 02 24 2026

STATE OF WISCONSIN)) SS	
COUNTY OF SAUK)	
Gregg H. McArthur for Devil's Lake Properties, LLC , being first duly sworn on oath, deposes and says: (Insert Name of Petitioner)	
1. That he/she, <u>Gregg H. McArthur for Devil's Lake Properties, LLC</u> , is one of the petitioners who (Insert Name of Petitioner)	
signed the Petition for the Direct Annexation of the following described territory to the City of Baraboo:	
See attached legal description	
2. The undersigned makes this Affidavit in support of a Petition for Direct Annexation of the above describ territory to the City of Baraboo, Sauk County, Wisconsin, on unanimous consent pursuant to Section 66.0217(2) the Wisconsin Statutes.	oed) of
3. The Petition for Direct Annexation was signed by all of the owners of the above described territory and to the be knowledge and information of the undersigned no other person or entity has any ownership interest whatsoever and to said territory.	est r in
4. All of the territory to be annexed is unoccupied and no person or electors reside thereon.	
Address Expension WI 53593 Petitioner Petitioner	>
Address Petitioner	
Subscribed and sworn to before me this 11th day of November, 2022. Donna Griggel Notary Public, Sauk County, Wisconsin	
My Commission Expires on 034 2020	

STATE OF WISCONSIN)) SS	
COUNTY OF SAUK)	
<u>Craig Sauey for Valhalla Valley, LLC</u> , being first duly sw (Insert Name of Petitioner)	vorn on oath, deposes and says:
1. That he/she, <u>Craig Sauey for Valhalla Valley, LLC</u> , (Insert Name of Petitioner)	is one of the petitioners who signed the Petition
for the Direct Annexation of the following described te	rritory to the City of Baraboo:
(Insert Description of Rea	l Estate in this space)
	Petition for Direct Annexation of the above described , on unanimous consent pursuant to Section 66.0217(2) of
· · · · · · · · · · · · · · · · · · ·	he owners of the above described territory and to the best person or entity has any ownership interest whatsoever in
4. All of the territory to be annexed is unoccupied and no	person or electors reside thereon.
212 10th Ave Baraboo WI 539/3 Address	Petitioner Petitioner
Subscribed and sworn to before me this <u>15</u> day of November, 2022.	NOTARL PUBLIC
Notary Public, Sauk County, Wisconsin My Commission Expires on 02-24 2026	OF WISCONSTITUTE OF WIS

AFFIDAVIT OF FILING

STATE OF WISCONSIN)) SS
COUNTY OF SAUK)
Randy Scott , being first duly sw (Insert Name of Petitioner)	vorn on oath, deposes and says that on the 16 th day of November, 2022
he/she filed with the Town Clerk of the Annexation (Unanimous Approval) of th	Town of Baraboo, Sauk County, Wisconsin, a Duplicate Petition for Direct e following described territory:
	See attached legal description
	Petitioner
Subscribed and sworn to before me this November, 2022.	16th day of
Dould Gunge	MOTARL
Donna Griggel	PUBLIC 25
Notary Public, Sauk County, Wisconsin	3 4 2026



TONY EVERS

GOVERNOR

KATHY BLUMENFELD

SECRETARY-DESIGNEE

Municipal Boundary Review PO Box 1645, Madison WI 53701

Voice (608) 264-6102 Fax (608) 264-6104 Email: wimunicipalboundaryreview@wi.gov Web: http://doa.wi.gov/municipalboundaryreview

December 12, 2022

PETITION FILE NO. 14543

BRENDA ZEMAN, CLERK CITY OF BARABOO 101 SOUTH BLVD. BARABOO, WI 53913 MORGAN K OLSON, CLERK TOWN OF BARABOO 101 CEDAR ST BARABOO, WI 53913-1182

Subject: DEVIL'S LAKE PROPERTIES ET AL ANNEXATION

The proposed annexation submitted to our office on November 22, 2022, has been reviewed and found to be in the public interest. In determining whether an annexation is in the public interest, s. 66.0217 (6), Wis. Stats. requires the Department to examine "[t]he shape of the proposed annexation and the homogeneity of the territory with the annexing village or city...." so as, to ensure the resulting boundaries are rational and compact. The statute also requires the Department to consider whether the annexing city or village can provide needed municipal services to the territory. The subject petition is for territory that is reasonably shaped and contiguous to the City of Baraboo, which is able to provide needed municipal services.

Notes:

- 1) The Sauk County Real Property Lister indicates that this annexation impacts voting wards. Specifically: Current parcels (002-0305-00000 & 002-0315-00000) are located in Supervisory District 21 and Voting Ward T1. Current parcels (002-0313-00000, 002-0320-00000, 002-0319-00000, 002-0391-00000, 002-1307-13100 & 002-1307-13000) are located in Supervisory District 20 and Voting Ward TS. Since the annexation crosses Supervisory Districts, the City will need to either create two to three new Voting Wards (C16, C17 & C18) or petition the County Board to have the Supervisory Districts adjusted. It is recommended to create new Voting Wards.
 - 2) Revise all references to "STH 123" on the map and in the legal description to reference "CTH DL" since this road is no longer STH 123.
 - 3) Revise all references to "Lot 1 of CSM 4190" on the map and in the legal description to reference "Lot 30 of Tranquility Subdivision Phase 1".
 - 4) On line 2 of the 2nd paragraph of the legal description, remove the duplicate distance of "1315.11 feet".
 - 5) On line 3 of the 2nd paragraph of the legal description, revise the distance shown as "259.99 feet" to read "659.99 feet" as shown on the map.
 - 6) On line 6 of the 2nd paragraph of the legal description, revise the bearing shown as S89°2716'32"E to read S89°16'32"E as shown in the line table.
 - 7) On line 14 of the 2nd paragraph of the legal description, revise the bearing shown as N26°48'13"W to read N26°48'13"E. Also revise the bearing for L12 in the line table to read N26°48'13"E.
 - 8) On line 15 of the 2nd paragraph of the legal description, revise the bearing shown as N41 °53'39.5"E to read N41°53'39.5"W. Also revise the chord bearing for Cl in the curve table to read N41°53'39.S"W.
 - 9) Verify the correct distance for the South line of the NWI/4-SEI/4, currently the map shows 1322.56' whereas line 22 of the 2nd paragraph of the legal description reads 1322.54'.
 - 10) There is a 1' misclosure for the overall annexation description, particularly that portion being shown on sheet 3 of 5 of the annexation map.
 - 11) On sheet 1 and 3 of the annexation map, the parcel lying directly to the West of Tranquility Subdivision Phase 1 and south of STH 136 should be labeled Parcel 002-1297-00000 instead of 002-1292-00000.
 - 12) The westerly boundary location of parcels 002-0316-00000 and 002-0317-00000 as currently shown on

cc: petitioner

sheet 2 of 5 on the annexation map doesn't coincide with previous surveys completed in the NWI/4-SEI/4 and could potentially create title issues between these parcels and parcel 002-0315-00000.

In its completed questionnaire the Town indicates displeasure of the proposed use of the annexation territory as an RV park. The City and Town may want to develop a boundary agreement under s. 66.0301 or 66.0307, Wis. Stats. so as to resolve municipal boundary, service, land use, and regulatory issues in a proactive fashion.

The Department reminds clerks of annexing municipalities of the requirements of s. 66.0217 (9)(a), Wis. Stats., which states:

"The clerk of a city or village which has annexed shall file immediately with the secretary of administration a certified copy of the ordinance, certificate and plat, and shall send one copy to each company that provides any utility service in the area that is annexed. The clerk shall record the ordinance with the register of deeds and file a signed copy of the ordinance with the clerk of any affected school district..."

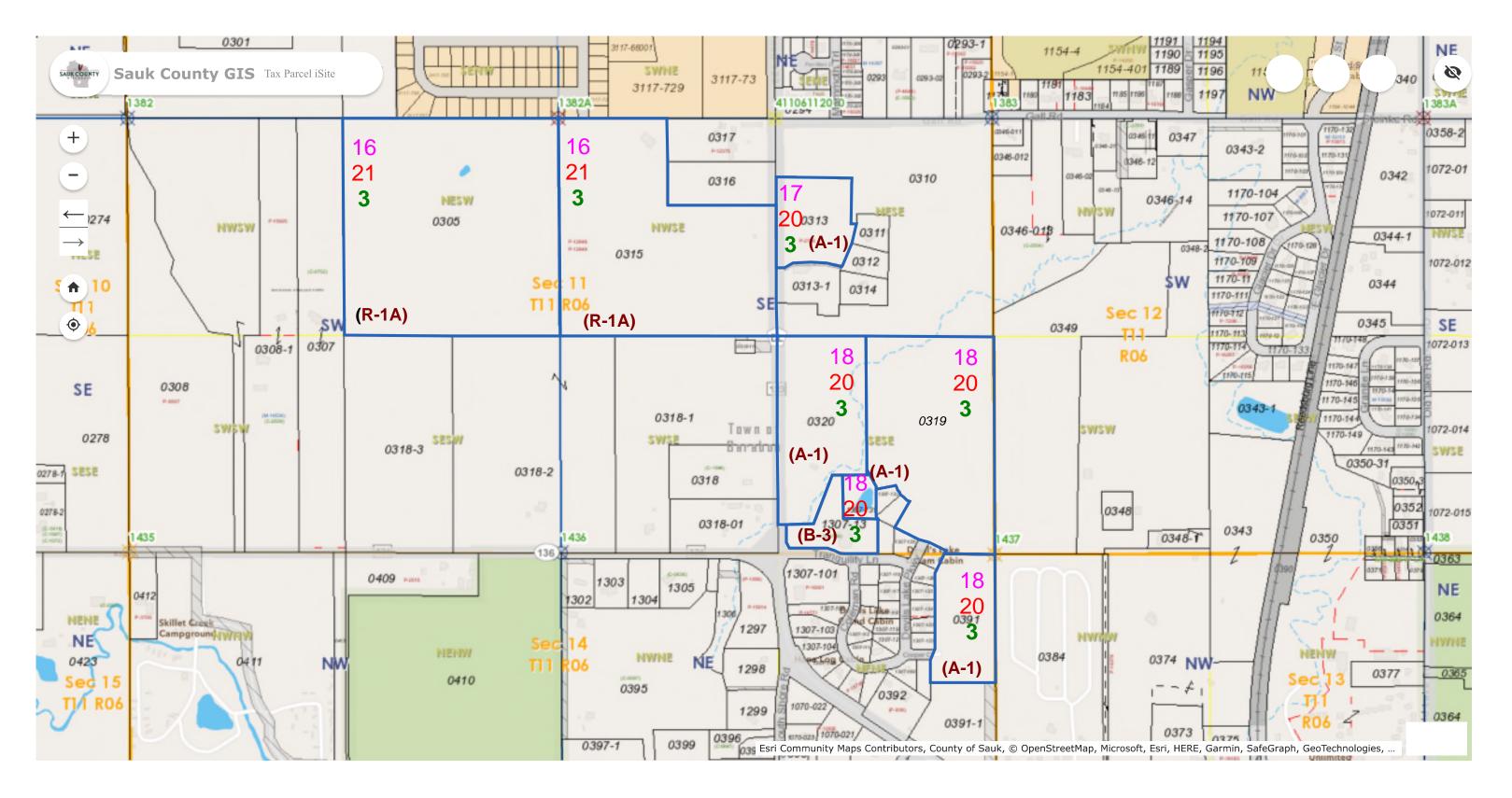
State and federal aids based on population and equalized value may be significantly affected through failure to file with the Department of Administration. Please file a copy of your annexing ordinance, including a statement certifying the population of the annexed territory. **Please include your MBR number 14543 with your ordinance.** Ordinance filing checklist available at http://mds.wi.gov/, click on "Help on How to Submit Municipal Records". Email scanned copy of required materials (color scan maps with color) to mds.@wi.gov or mail to: Wisconsin Department of Administration, Municipal Boundary Review, PO Box 1645, Madison WI 53701-1645.

The petition file is available for viewing at: http://mds.wi.gov/View/Petition?ID=2617
Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

Tich Glandle



Proposed Annexation Parcel Boundaries

XX - Ward

YY - Supervisory District

Z - Aldermanic District

43.445 -89.751 Degrees 0 300 600ft



(x-#) - Prospective Zoning